

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DANIEL GARCIA,</b>	<b>:</b>	<b>CIVIL ACTION NO. 1:07-CV-1886</b>
	<b>:</b>	
<b>Plaintiff/Consolidated Defendant</b>	<b>:</b>	<b>(CONSOLIDATED)</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>(Judge Conner)</b>
	<b>:</b>	
<b>DAWN CUMMINGS, individually and as ADMINISTRATRIX of the ESTATE of WALTER CUMMINGS,</b>	<b>:</b>	
	<b>:</b>	
<b>Defendant/Consolidated Plaintiff</b>	<b>:</b>	
	<b>:</b>	
<b>BLACK HORSE CARRIERS, INC.,</b>	<b>:</b>	
	<b>:</b>	
<b>Defendant</b>	<b>:</b>	
	<b>:</b>	
<b>PRIME, INC.,</b>	<b>:</b>	
	<b>:</b>	
<b>Consolidated Defendant</b>	<b>:</b>	

**ORDER**

AND NOW, this 28th day of February, 2008, upon consideration of the concurred-in motion for leave to join a third-party defendant (Doc. 12), see FED. R. Civ. P. 14(a)(1) (“A defending party may, as third-party plaintiff, serve a summons and complaint on a nonparty who is or may be liable to it for all or part of the claim against it. But the third-party plaintiff must, by motion, obtain the court’s leave if it files the third-party complaint more than 10 days after serving its original answer.”), and it appearing that the court issued a case management order on January 2, 2008 setting the above-captioned case for trial (see Doc. 8), see L.R. 14.1 (“A motion by a defendant for leave to join a third-party defendant under Fed. R.

Civ. P. 14(a) shall be made within three (3) months after an order has been entered setting the case for trial . . . ."), it is hereby ORDERED that:

1. The motion for leave to join a third-party defendant (Doc. 12) is GRANTED. See FED. R. Civ. P. 14(a).
2. The Clerk of Court is directed to remove the proposed document (Doc. 12, Ex. A) from the docket in this case, file it as a third-party complaint as of the date of this order, amend the docket to reflect the parties named therein, and issue a summons.
3. On or before March 26, 2008, third-party plaintiffs shall serve the summons and third-party complaint on the third-party defendant in the manner specified in Rule 4 of the Federal Rules of Civil Procedure.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge